



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Offic

COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
08/961,936	10/31/9/	RUYU	J	B-3379-61628

IM11/0125

LADAS & PARRY 5670 WILSHIRE BOULEVARD SUITE 2100 LOS ANGELES CA 90036

	EXAMINER	<del> </del>
WU, D		ı

PAPER NUMBER **ART UNIT** 

DATE MAILED: 01/25/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Application No.

08/961,956

Applicant(s)

Royo et al.

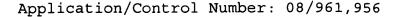
Office Action Summary

Examiner David Wu

Group Art Unit 1713



Responsive to communication(s) filed on	·
☐ This action is <b>FINAL</b> .	
Since this application is in condition for allowance except in accordance with the practice under Ex parte Quayle, 1	
A shortened statutory period for response to this action is so is longer, from the mailing date of this communication. Fails application to become abandoned. (35 U.S.C. § 133). Exte 37 CFR 1.136(a).	ure to respond within the period for response will cause the
Disposition of Claims	
	is/are pending in the application.
Of the above, claim(s)	is/are withdrawn from consideration.
Claim(s)	
Claim(s)	·
Claim(s)	
	are subject to restriction or election requirement.
	are subject to restriction of election requirement.
Application Papers	
☐ See the attached Notice of Draftsperson's Patent Drav	-
The drawing(s) filed on is/are ob	
The proposed drawing correction, filed on	isapproveddisapproved.
☐ The specification is objected to by the Examiner.	
The oath or declaration is objected to by the Examiner	<b>`</b>
Priority under 35 U.S.C. § 119	•
Acknowledgement is made of a claim for foreign prior	ity under 35 U.S.C. § 119(a)-(d).
☐ All ☐ Some* ☐ None of the CERTIFIED copie	s of the priority documents have been
received.	
received in Application No. (Series Code/Serial	
received in this national stage application from	the International Bureau (PCT Rule 17.2(a)).
*Certified copies not received:	
Acknowledgement is made of a claim for domestic principle.	ority under 35 U.S.C. § 119(e).
Attachment(s)	
☐ Notice of References Cited, PTO-892	
☐ Information Disclosure Statement(s), PTO-1449, Pape	r No(s)
<ul> <li>Interview Summary, PTO-413</li> <li>Notice of Draftsperson's Patent Drawing Review, PTO</li> </ul>	1-948
☐ Notice of Informal Patent Application, PTO-152	-540
SEE OFFICE ACTION O	ON THE FOLLOWING PAGES



Art Unit: 1713

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-14, drawn to a catalyst component, classified in class 502, subclass 104.
  - II. Claims 15-18, drawn to a polymerization process, classified in class 526, subclass 127.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions of Group I and Group II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the product as claimed can be used in a materially different process such as a process of isomerization or epoxidation of alkenes.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and their recognized divergent subject matter, restriction for examination purposes as indicated is proper. Furthermore, the search required for Group I is not

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required for Group II, restriction for examination purposes as indicated is proper.

- 4. A telephone call was made to Mr. John Palmer on January 22, 1999 to request an oral election to the above restriction requirement, but did not result in an election being made.
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Wu whose telephone number is (703) 308-2450. The examiner can normally be reached on weekdays from 9:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith, can be reached on (703) 308-4345. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2351.

DWW January 25, 1999 David W. WU PRIMARY EXAMINER GROUP 1500

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